

***MINUTES***  
***CITY COMMISSION MEETING***  
***TUESDAY, FEBRUARY 5, 2013***  
***7:00 P.M.***

The Regular Meeting of the City Commission was held at 7:00 p.m. in the City Commission Room. Mayor Pro-Tem John Matta and Commissioners Wynn Butler, Richard B. Jankovich, and James E. Sherow were present. Also present were the City Manager Ron R. Fehr, Assistant City Manager Jason Hilgers, Assistant City Manager Lauren Palmer, City Attorney Bill Raymond, City Clerk Gary S. Fees, 5 staff, and approximately 8 interested citizens.

**PLEDGE OF ALLEGIANCE**

Mayor Pro-Tem Matta led the Commission in the Pledge of Allegiance.

**PUBLIC COMMENTS**

Mayor Pro-Tem Matta opened the public comments.

Richard Hill, 3513 Stagecoach Circle, voiced concerns about the Zoning Ordinance and financial considerations for the Manhattan Public Library expansion. He clarified that his objection was to the wording in the ordinance and the use of public tax funds for the project and apologized for his comments directed to City Manager Ron Fehr earlier.

Ron Fehr, City Manager, informed Mr. Hill that he understood his concerns with the use of public funds and appreciated his comments.

Richard Hill, 3513 Stagecoach Circle, provided information on home sales, home values, and the average selling price of homes as reported in *The Manhattan Mercury*. He informed the Commission that these figures do not reflect an increase in the housing economy and stated the importance in holding the line on taxes for the next few years.

Hearing no other comments, Mayor Pro-Tem Matta closed the public comments.

## COMMISSIONER COMMENTS

Commissioner Jankovich informed the community that the Wildcat Creek Working Group met on Thursday, January 31, 2013, in the City Commission Room. He provided an update on the progress that has been made by the Working Group and future meetings in which the item will be discussed. He congratulated Assistant City Manager Jason Hilgers and Mark Bachamp for their fundraising efforts with the turf project at Bishop Stadium for U.S.D. 383. He then shared with the community his involvement with the Schools of Hope reading program and encouraged those interested in volunteering to contact Candice McIntosh, Program Coordinator, with Schools of Hope.

Commissioner Butler thanked those that donated last year to the utility donation program for social services. He stated that citizens can support social service agencies that the City supports via voluntary donations and encouraged people interested to participate in the monthly utility bill donation program. He thanked Finance Director Bernie Hayden and his staff for their efforts.

## CONSENT AGENDA

(\* denotes those items discussed)

### MINUTES

The Commission approved the minutes of the Special City Commission Meeting held Tuesday, January 22, 2013.

### CLAIMS REGISTER NOS. 2720 and 2721

The Commission approved Claims Register Nos. 2720 and 2721 authorizing and approving the payment of claims from January 16, 2013, to January 29, 2013, in the amounts of \$1,046,177.08 and \$2,799,657.50, respectively.

### ORDINANCE NO. 6984 – FRANCHISE AGREEMENT – WAMEGO TELECOMMUNICATIONS COMPANY, INC.

The Commission approved Ordinance No. 6984 authorizing a telecommunications franchise with Wamego Telecommunications Company, Inc., and authorized the Mayor and City Clerk to execute the franchise agreement.

### ORDINANCE NO. 6985 – KDHE LOAN AGREEMENT – WATER METER AUTOMATION AND REPLACEMENT PROJECT (WA1114)

The Commission approved Ordinance No. 6985 authorizing the execution of a loan agreement between the City of Manhattan, Kansas, and the State of Kansas for the purpose of obtaining a loan from the Kansas Public Water Supply Loan Fund in order to finance the Water Meter Automation and Replacement Project (WA1114).

## CONSENT AGENDA (CONTINUED)

### AWARD CONTRACT – MILLER RANCH, UNIT 5, AND BARTON PLACE ADDITION, UNIT 2 – WATER (WA1214), SANITARY SEWER (SS1209) AND STREET (ST1211) IMPROVEMENTS

The Commission accepted the Engineer's Opinion of Probable Cost in the amount of \$1,143,000.00; awarded a construction contract in the amount of \$879,086.55 to Bayer Construction, of Manhattan, Kansas; and authorized the Mayor and City Clerk to execute the contract with Bayer Construction for the Miller Ranch, Unit 5, and Barton Place Addition, Unit 2, Water (WA1214), Sanitary Sewer (SS1209), and Street (ST1211) Improvement project.

### MEMORANDUM OF UNDERSTANDING – KSU CENTER FOR CHILD DEVELOPMENT PLAYGROUNDS IMPROVEMENT PROJECT (CD1210 G SBA)

The Commission authorized the Mayor and City Clerk to execute a Memorandum of Understanding with Kansas State University for the KSU Center for Child Development Playgrounds Improvement Project (CD1210 G SBA).

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### AWARD CONTRACT - KSU CENTER FOR CHILD DEVELOPMENT PLAYGROUNDS IMPROVEMENT PROJECT (CD1210 G SBA)

Ron Fehr, City Manager, provided additional information on the base bid and alternates associated with the bid for the KSU Center for Child Development Playground Improvement Project.

The Commission accepted the Architect's Opinion of Probable Cost in the amount of \$71,000.00 for the base bid, and awarded and authorized execution of a construction contract in the amount of \$48,827.00 for the base bid and \$18,107.00 for Alternate #5, for a total amount of \$66,934.00 to Grounds for Play, Inc., of Brookfield, Illinois, for the KSU Center for Child Development Playgrounds Improvement Project (CD1210 G SBA).

### OUTSIDE CITY LIMITS WATER AGREEMENT – MAX H. BAYER TRUST – 3860 STAGG HILL ROAD

The Commission authorized the Mayor and City Clerk to execute an outside city limits water service connection agreement with Max H. Bayer as Trustee of the Max H. Bayer Trust, dated March 23, 1985, for the single-family residence at 3860 Stagg Hill Road, Riley County, Kansas.

### BOARD APPOINTMENTS

The Commission approved appointments by Mayor Pepperd to various boards and committees of the City.

## CONSENT AGENDA (CONTINUED)

### BOARD APPOINTMENTS (CONTINUED)

#### Arts and Humanities Advisory Board

Re-appointment of Don Hedrick, 1736 Fairview Avenue, to a three-year term. Mr. Hedrick's term will begin April 1, 2013, and will expire March 31, 2016.

Re-appointment of Steve Lee, 121 N. 8th Street, to a three-year term. Mr. Lee's term will begin April 1, 2013, and will expire March 31, 2016.

#### Flint Hills Discovery Center Advisory Board

Re-appointment of Mike Haddock, 741 Canfield Drive, to a three-year term. Mr. Haddock's term begins immediately, and will expire January 31, 2016.

#### Human Rights and Services Board

Re-appointment of Jennifer Hager, 2045 Plymouth Road, to a three-year term. Ms. Hager's term will begin March 10, 2013, and will expire March 9, 2016.

Re-appointment of Mary Beth Reese, 2008 Ivy Drive, to a three-year term. Ms. Reese's term will begin March 10, 2013, and will expire March 9, 2016.

### TASK ORDER NO. 2 AMENDMENT NO. 1 – HYDRAULIC ANALYSIS - AIRPORT WILDLIFE FENCE

The Commission authorized the Mayor and City Clerk to execute Amendment No. 1 to Task Order No. 2 in the amount of \$11,512.00 with Mead & Hunt, Inc., of Minneapolis, Minnesota, to conduct a hydraulic analysis for the design of the wildlife fence at the Manhattan Regional Airport.

After discussion, Commissioner Sherow moved to approve the consent agenda, as read. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 4-0.

## GENERAL AGENDA

### PUBLIC HEARING - ISSUE - INDUSTRIAL REVENUE REFUNDING AND IMPROVEMENT BONDS - MANKO WINDOW SYSTEMS, INC.

Lauren Palmer, Assistant City Manager, presented an overview of the item. She then responded to questions from the Commission and stated that this item has no direct financial impact or risk to the City.

Mayor Pro-Tem Matta opened the public hearing.

GENERAL AGENDA (CONTINUED)

**PUBLIC HEARING - ISSUE - INDUSTRIAL REVENUE REFUNDING AND IMPROVEMENT BONDS - MANKO WINDOW SYSTEMS, INC. (CONTINUED)**

Commissioner Sherow stated that Geri Simon, Coordinator, Manhattan Living Wage Coalition, was unable to attend the meeting tonight; however, he read a prepared statement that she provided to the Commission. Ms. Simon stated that the Manhattan Living Wage Coalition was pleased to read that Manko Window Systems, Inc., proposes that none of the 33 jobs it plans to create as a result of receiving Industrial Revenue Bonds for expansion will be low wage. He went on to report that Ms. Simon stated that this is the kind of application from a wage standpoint that the Coalition believes is worthy of consideration for economic development assistance from the City and is another instance of demonstrating that companies can be expected to pay their people a living wage if they want government to help them create jobs.

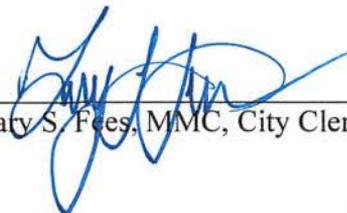
Hearing no other comments, Mayor Pro-Tem Matta closed the public hearing.

**FIRST READING - ISSUE - INDUSTRIAL REVENUE REFUNDING AND IMPROVEMENT BONDS - MANKO WINDOW SYSTEMS, INC.**

After discussion and comments from the Commission, Commissioner Butler moved to approve first reading of an ordinance authorizing the issuance of Industrial Revenue Refunding and Improvement Bonds for Manko Window Systems, Inc. Commissioner Jankovich seconded the motion. On a roll call vote, motion carried 4-0.

**ADJOURNMENT**

At 7:22 p.m., the Commission adjourned.

  
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Gary S. Fees, MMC, City Clerk